REMARKS

Reconsideration of this application is respectfully requested.

Although the Examiner has returned a duly initialed copy of the Form PTO-1449 submitted with applicant's October 2, 1998 IDS, attention is respectfully directed to the additional Form PTO-1449 submitted with the filing of this application on March 11, 1997 (together with a copy of each reference therein cited). For the Examiner's convenience, a further copy of this earlier Form PTO-1449 is attached and return of a fully initialed copy is respectfully requested.

The Examiner's attention is also drawn to the attached substitute ABSTRACT OF THE DISCLOSURE on a separate sheet.

The rejection of claims 1, 2, 6, and 8-10 under 35 U.S.C. §102 as allegedly anticipated by Graber '979 is respectfully traversed.

It appears that the outstanding Office Action is substantially identical to an Office Action issued with respect to applicant's earlier parent application 08/684,257 -- without regard to the fact that the claims in this CIP application are somewhat different. In any event, the original claims 1-28 have now been replaced with new claims 29-46.

It will be noted that independent method claim 29 requires, *inter alia*, "determining if the request includes a received identification signal identifying an originating file from which said

request originated. Independent apparatus claim 38 has a similar requirement. It will be appreciated that this feature is related to features previously recited in original claims 13 and 26. The summary of the invention section in the specification has been suitably amended to reflect this change in focus. The traversed rejection will now be discussed in more detail with respect to the new claims 29-46.

Graber et al '979 merely monitors referral URL information so as to be sure to pay an appropriate "bounty payment" to the referral source. So far as the undersigned can ascertain, Graber et al '979 does not offer any teaching or suggestion that would lead one of only ordinary skill in the art to the applicant's invention wherein a server monitors referral information so as to determine what is to be supplied -- thus providing a myriad of additional opportunities for controlling access to the requested data depending upon the subscriber status, the copyright status of the material requested, etc. By contrast, instead of controlling what is to be supplied by the server, Graber et al '979 merely monitors the navigation path of an incoming request so as to maintain an appropriate record for use in paying "bounty payments" to a co-marketing partner.

In particular, Graber merely discloses a technique "for tracking the navigation path of a user that has been directed to a second site on the WWW from a first site on the WWW". When the user is so directed, a "composite" Uniform Resource Locator (URL) is received at the second site, comprising (see, for example, column 3, line 1 et seq and column 5, lines 38 to 50)

(i) a first portion corresponding to the URL symbol of the second site (for example, www.ols.com); and

(ii) a second portion that includes information corresponding to the identity of the first site. In particular the second portion is formed of a destination filename (for example, index.html) and a UNIX symbolic link (for example \CM1) that is prepended to the beginning of the destination filename.

Thus, one example of such a composite URL received at the second site, according to Graber, would be 'www.ols.com\cm1\index.html'.

A particularly important point to note in this respect is the extent to which the identity of the first site is included in this composite URL.

Each 'first site' operated in accordance with Graber represents a portal belonging to a so-called 'co-marketer' through which the browsing world, if appropriately interested by the link of a given company shown at the co-marketer's site, may be re-directed to the site of that company. In order for the co-marketers to be remunerated by this company in accordance with the amount of business that they bring in for the company through this re-direction to the company's site, the company has to be able to track how a given customer has arrived at their site.

Graber discloses that each authorized co-marketer is assigned a unique ID (a 'CMID'), consisting of a UNIX symbolic link such as \CM1, as outlined above. Thus when a co-marketer site causes an interested customer to be re-routed to the site of the company, a composite URL containing the CMID for the co-marketer in question is created, which is then "used to route the user (along dotted line 125) from WWW site 122a of co-marketer #1 to OLS WWW site 128" (column 5, line 48).

To allow for the interested customers received at the company site only having been referred by an authorized co-marketer, the CMID associated with each such transformed URL can be checked against a list of valid CMIDs stored on an environment database (column 8, line 7).

In this way, Graber is interested in knowing only that a file request has been referred through a trusted or authorized co-marketer site. In consequence, Graber teaches that such identification as exists in the file request is limited to the provision of an identification of the co-marketer party.

Contrary to the Examiner's allegations, Graber does not teach "determining if the file request includes an identification signal identifying a web page from which the file request was made (column 16, lines 10-15)". In the comments relating to the rejection of claim 13, the Examiner makes further reference to column 3, lines 25-45 and column 16, lines 5-20.

However, at column 3, lines 15-45, Graber describes a scheme for redirecting a user from a first WWW location to a second WWW location "wherein relative URL addressing is used during the redirecting process". A perusal of column 10, lines 45 et seq will render clear the ambit of this scheme:

> "As described above in the background section, when relative URL addressing is used to move between pages on WWW 120 (moving between pages held lower down in the hierarchy on www.ols.com), a user may only move between pages in the user's current directory or to a subdirectory located below the user's current directory in a directory tree such as that shown in Figure 5. Thus, when standard relative URL addressing is used, it is not possible for the user to move from the page represented by URL 514 to the page

represented by URL 518 and still preserve the UNIX symbolic link/CMID information described above."

Graber then provides an example of a redirect.cgi program and continues, at column 11, line 39:

"The redirect.cgi program is significant to the operation of the present invention because, among other things, this program allows the UNIX symbolic link information that was originally passed when the user arrived at the home page of OLS site 128 to be retained as the user moves between pages at OLS site 128."

The redirect.cgi program performs a similar URL transformation to that carried out when the user was referred to the OLS site, in order to retain the important CMID information identifying the co-marketer from whence the user was referred. It is to this latter technique that the Examiner refers in the column 16 reference. To reiterate, in neither case does "the file request [include] an identification signal identifying a web page [or more pertinently an originating file] from which the file request was made".

As indicated above, the independent method claim has now been amended to recite "determining if the file request includes an identification signal identifying an originating file from which said file request originated", with the independent apparatus claim also amended accordingly.

The extent to which Graber provides an identification signal is outlined above; Graber teaches that such identification as exists in the file request is limited to the provision of an

identification of the co-marketer party. As discussed above, contrary to the assertions of the Examiner, Graber does not teach that the identification signal identifies "an originating file from which [the file request originated]".

The rejection of claims 3-5 and 11-28 under 35 U.S.C. §103 as allegedly "obvious" in view of a combination of Graber '979 and Weinman (CGI) is also respectfully traversed.

The Examiner cites CGI as indicative of the use of the Hyper/Text Transfer Protocol (HTTP) by Web servers.

The CGI book refers to the fact that "If the service or information that you are offering on your Web site is intended for a select group of people, or if you are charging for access to your service, or for any number of other reasons, you may need to implement some form of user authentication".

Chapter 6 discusses a scheme whereby a modicum of User Authentication may be provided, in the form of the Basic Authentication Scheme provided in the HTTP/1.0 specification. This scheme operates on a simple challenge-response model. In other words "when the browser requests a file from a restricted realm, the server initiates the authorization transaction...At this point, the browser will usually prompt the user for a user ID and password, then respond to the challenge with a response string back to the server...The server then checks the credentials of the user against those in its database to determine their authenticity and authority".

CGI also does not provide for an identification signal in a file request at all; instead an authorization process requires the manual entry of a user ID and a password in response to a challenge. Thus CGI fails to provide a fundamental deficiency of Graber '979.

The invention seeks to solve a technical problem relating to the control of file provision in response to requests for those files generated by other files.

By way of a concrete example, a computer user may view a first Web Page, a html file, through the browser of the computer user requesting that file from a first server. That Web Page might for example, be designed to include an image, for example, a .gif file, which might be stored on a second server. In rendering the Web Page the browser would detect that the Web Page should include the appropriate image and would then formulate and send a file request for that image file to the second server where the image file is stored.

The claimed invention requires determining if the file request includes an identification signal identifying an originating file from which said file request originated. In this example then, the request for the image file will include an identification of the Web Page from whence the image file request originated.

In this way, the invention as claimed provides for a relatively "fine grain" control over file requests than was ever possible in the prior art. Content control, becoming one of the most important issues of the digitally networked environment, is much facilitated, providing (specification page 7, line 34) "a platform for providing copyright protected images and sounds [among other content] allowing authors or artists payment for [and control over] their work".

Consider the example of an artistic image stored as a .gif file on an archive file server. The artist having created that image or the organization with the rights to the image can

> be assured that, according to the invention, the image will only be provided on agreed terms (perhaps both relating to 'moral' and 'economic' rights) since the image will only be served to another file, for example a Web Page, if the identification provided for that file is a valid one. The .gif image might, for example, be provided for inclusion in only a limited set of suitable Web Pages belonging to a third party. According to the invention as claimed, the .gif file could only be served to that limited set of Web Pages.

According to Graber, even on the most favorable interpretation, with an identification only at the level of the identity of the third party, such fine-grained control would simply not be possible. Once it had been agreed with a given third party that the .gif file would be supplied, any request with the third party identity would have to be honored and the .gif file supplied; the third party would have to be trusted to use the .gif file only in the manner agreed.

According to CGI, a request for the .gif file would be met with a clumsy challenge-response requirement to enter a user-ID and a password before the .gif file could be seen. Such an approach is clearly not possible when scaled to the number of images available in a digital archive of any size.

The application respectfully submits that there is therefore no suggestion to combine Graber and CGI to arrive at the present invention; a combination of a co-marketer or other third party ID with a discrete challenge-response scheme does not seem to be fruitful.

Accordingly, this entire application is now believed to be in allowable condition and a formal Notice to that effect is respectfully solicited.

Respectfully submitted,

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